## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

SHEILA PORTER,	
Plaintiff	)
	)
v.	)
	) Civil Action No. 04-11935-DPW
ANDREA CABRAL, SUFFOLK	)
COUNTY SHERIFF'S DEPARTMENT,	)
SUFFOLK COUNTY, and	)
CORRECTIONAL MEDICAL	)
SERVICES, INC.	)
Defendants	)
	)

## AFFIDAVIT OF ATTORNEY ELLEN M. CAULO

- I, Ellen M. Caulo do hereby state under the pains and penalties of perjury that the following is true to the best of my knowledge and belief:
  - 1. My name is Ellen M. Caulo. I am an attorney in good standing in the Commonwealth of Massachusetts and Massachusetts United States District Court.
  - 2. The document attached as Exhibit 1 entitled Deposition of Sheila J. Porter is a genuine and accurate copy of excerpts from the deposition of Sheila J. Porter on March 31, 2000 in the matter of <u>Deyanira Feliz v. Suffolk County House of Correction</u>, MCAD, Civil Action No. 99-131745.
  - 3. The document attached as Exhibit 2 is entitled "Broadcast Transcript" is a genuine and accurate copy of the transcript of the debate between Sheriff Andrea J. Cabral and Councilor Stephen Murphy on the program Greater Boston aired on WGBH-TV on September 8, 2004.
  - 4. The document attached as Exhibit 3 was introduced as Exhibit 10 in Mrs. Porter's deposition on May 26, 2005 and is a genuine and accurate copy of the article "Calling the Shots" by Elaine McArdle published in the Boston Globe Magazine on October 31, 2004.
  - 5. The document attached as Exhibit 4 was introduced as Exhibit 9 at Mrs. Porter's May 26, 2005 deposition and is a genuine and accurate copy of the Press Statement issued by the Suffolk County Sheriff's Department ("SCSD") on or about August 25, 2004.
  - 6. The document attached as Exhibit 5 is a genuine and accurate copy of a document entitled "Interdisciplinary Progress Notes" written by Mrs. Porter and dated May 19,

- 2003 that were received by the Suffolk County Sheriff's Department on May 28, 2003.
- 7. The document attached as Exhibit 6 was introduced as Exhibit 2 at the deposition of Gerard Horgan, Superintendent of the HOC, and is a genuine and accurate copy of SCSD Policy S220 that was in effect in 2003.
- 8. The document attached as Exhibit 9 is a true and accurate copy of the deposition testimony take of Elizabeth Keeley on May 11, 2005.
- 9. The document attached as Exhibit 10 is a true and accurate copy of the deposition testimony of Gerard Horgan taken on may 13, 2005.
- 10. The document attached at Exhibit 11 herein is a true and accurate copy of deposition testimony taken of Shelia Porter on May 18, 2005 and May 26, 2005.
- 11. The document attached as Exhibit 12 was introduced as Exhibit 8 at Mrs. Porter's deposition on May 26, 2005 and is a genuine and accurate copy of the report of SID Investigator Sonya Aleman regarding the May 28, 2003 SID interview of Mrs. Porter.
- 12. The document attached as Exhibit 13 entitled "Fired Nurse Speaks Out" is a genuine and accurate copy of an article about Mrs. Porter by Andrea Estes published in the Boston Globe on or about August 25, 2004.
- 13. The document attached as Exhibit 14 is a true and accurate copy of deposition testimony taken of Anne Mack on May 3, 2005
- 14. The document attached as Exhibit 15 is a true and accurate copy of the deposition testimony taken of Donna Jurdak on June 20, 2005.
- 15. The document attached as Exhibit 16 entitled Earnings Statement is a genuine and accurate copy of Mrs. Porter's wages from her employer CMS, for the period May 25, 2003 – June 7, 2003.
- 16. The document attached as Exhibit 17 entitled Correctional Medical Services Time Card Report – Employee, dated June 6, 2003 is a genuine and accurate copy of the time card issued to Mrs. Porter by her employer CMS for the period June 8, 2003 – June 21, 2003.
- 17. The document attached as Exhibit 18 is a genuine and accurate copy of the 2002 W-2 wage and tax statement issued to Mrs. Porter by her employer CMS.
- 18. The document attached as Exhibit 19 and introduced as Exhibit 3 at Mrs. Porter's May 18, 2005 deposition is a genuine and accurate copy of the CMS Employee Success Guide that was issued to Mrs. Porter by her employer CMS on or about May 22, 2002. (86 pages)

- 19. The document attached as Exhibit 20 is a true and accurate copy of the deposition testimony taken of Brian Dacey on June 16, 2005.
- 20. The document attached as Exhibit 22 is a true and accurate copy of the deposition testimony taken of Maryellen Mastrorilli on June 27, 2005.
- 21. The document attached as Exhibit 23 was introduced as Exhibit 6 at Mrs. Porter's deposition on May 26, 2005 is a genuine and accurate copy of the report of SID Investigator Brian Dacey regarding the May 22, 2003 SID interview of Mrs. Porter.
- 22. The document attached as Exhibit 24 is a true and accurate copy of the deposition testimony taken of Viktor Theiss on May 24, 2005.
- 23. The document attached as Exhibit 25 is a true and accurate copy of the deposition testimony taken of Sheriff Andrea Cabral on May 6, 2005.
- 24. The document attached as Exhibit 26 is a true and accurate copy of the deposition testimony taken of Sheriff Andrea Cabral on June 24, 2005.
- 25. The document attached as Exhibit 27 is a true and accurate copy of Defendant Andrea Cabral's Supplemental Response to Plaintiff's Second Set of Interrogatories.

Signed under the pains and penalties of perjury this 17<sup>th</sup> day of October 2005

/s/ Ellen M. Caulo\_\_\_\_